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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/656,519	09/05/2003	Ray Johnson	3SI-139US	8040
31344	7590	02/01/2005	EXAMINER	
RATNERPRESTIA P.O. BOX 1596 WILMINGTON, DE 19899			NGUYEN, PHUNG	
			ART UNIT	PAPER NUMBER
			2632	

DATE MAILED: 02/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/656,519

Applicant(s)

JOHNSON ET AL.

Examiner

Phung T Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 9-14 is/are rejected.
- 7) ☒ Claim(s) 5-8 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 01/26/2005.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Objections*

1. Claims 5, 7, and 8 are objected to because of the following informalities:

Claim 5, line 2, "thareon" should be changed to --thereon--

Claims 7 and 8 are objected for incorporating the above deficiency by dependency.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1, 2, and 4 are rejected under 35 U.S.C. 102(e) as being anticipated by Lisowski (U.S. Pat. 6,552,660).

**Regarding claim 1:** Lisowski discloses flexible smoke generator comprising an alarm device and an electronic activation circuit for said alarm device in a packet resembling a currency pack, wherein said wake up circuit comprises a flexure sensor adapted to switch the electronic alarm activation circuit from a first, dormant state to a second, active state (fig. 3, col. 1, lines 58-61, and col. 5, lines 1-14).

**Regarding claim 2:** Lisowski inherently discloses wherein said electronic activation circuit comprises a microprocessor, wherein said flexure sensor is connected to said microprocessor and wherein an output signal from said sensor received by said microprocessor

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switches the electronic alarm activation circuit from said first, dormant state to said second, active state (col. 4, lines 55-66).

**Regarding claim 4:** Lisowski discloses wherein said security pack includes a power source and wherein said sensor comprises a switch connected between said power source and said electronic alarm activation circuit (col. 5, lines 1-7).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, and 9-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lisowski in view of Williams et al. (US 2003/0184438).

**Regarding claim 3:** Lisowski does not teach the claimed wherein the security pack is a flexible pack and the sensor generates an output signal when the pack is flexed. However, Williams et al. disclose sensor systems comprising the sensor (piezoelectric device) that generates an output signal when it is subject to change in its physical conditions (paragraphs 0005 and 0044). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the teaching of Williams et al. in the system of Lisowski because they both teach a sensor system for security purpose. It is seen that using piezoelectric device would provide a more accurate sensing system.

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**Regarding claim 9:** Williams et al. disclose wherein said sensor comprises a flexure sensing transducer and wherein said transducer is a piezoelectric transducer (paragraph 0022).

**Regarding claim 10:** Williams et al. inherently disclose wherein said sensor comprises a flexure sensing transducer and wherein said transducer is a variable resistive element (paragraph 0009).

**Regarding claim 11:** Williams et al. disclose wherein said sensor comprises a flexure sensing transducer and wherein said transducer is a capacitive element (paragraph 0009).

**Regarding claim 12:** All the claimed subject matter is already discussed in respect to claims 1 and 3 above.

**Regarding claim 13:** Refer to claim 12 above.

**Regarding claim 14:** Lisowski discloses wherein said step of applying said signal to switch said electronic activation circuit to said active state further comprises connecting an output of a power source to an input of said electronic activation circuit (col. 2, line s8-11).

***Allowable Subject Matter***

4. Claim 6 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is an examiner's statement of reasons for allowance:

In claim 6, the prior art does not disclose "The sensor comprises a flexure sensing transducer and said transducer is positioned straddling more than one of the discreet components".

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***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Sanderford, Jr. et al. [U.S. Pat. 4,604,607] disclose security device simulating currency pack or the like.

b. Bernhardt [U.S. Pat. 4,559,529] discloses antitheft system with digitally coded signal.

c. Carter, Jr. et al. [U.S. Pat. 3,828,341] disclose alarm apparatus for facilitating the detection of an unauthorized removal of property.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phung T Nguyen whose telephone number is 571-272-2968. The examiner can normally be reached on 8:00am-5:30pm Mon thru. Friday, with alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on 571-272-2964. The fax numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-308-9051 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

Phung Nguyen



Date: January 26, 2005